

REMARKS/ARGUMENTS

Claim Rejections- 35 USC § 102

2) In reference to **claim 1** as being anticipated by Rautila:

One should make distinct observations between my invention and Rautila, specifically for the following:

A- Wireless data network vs. short haul network and the requirements to a close vicinity.

B- Simultaneous game sessions vs. non-simultaneous game sessions.

C- Network server managing and controlling games sessions vs. "master phone" controlling the game.

A- Wireless data network vs. short haul network and the requirements to a close vicinity:

Rautila discloses a gaming system, which only uses short haul communication in order to connect between a pair of players. Please refer to the following citations from Rautila:

"...The present invention links multiple users having game units with mobile phones using a low power radio link...." (Abstract ln 3-4)

... In at least one of the mobile phones, the second transceiver is a short range wireless transceiver..." (Abstract ln 14-15) –which indicates short haul communications such as Bluetooth or Infrared.

"...At some subsequent time, a second player enters the location... Next, player 3 enters the location... Player 4 enters the location and looks for ongoing games in the vicinity..." (Col ln 4-5, ln 9-10) –This is a clear indication that Rautila uses location and vicinity in order to summon players to a certain game. It also indicates that games are used via short haul communication such as Bluetooth or Infrared.

All the above would indicate that any game using Rautila is done over a short haul communication and by definition confined to up to 7 players (as a definition of the Bluetooth protocol or the Infrared protocol): "A master Bluetooth device can communicate with up to seven devices in a Wireless User Group" (http://en.wikipedia.org/wiki/Bluetooth#Communication_and_connection). This in turn would mean that each game session would be confined to 7 players.

Another implication is that each game session using Rautila would have to be conducted within the same vicinity, a couple of feet.

Appl. No. 10/595,167
Amdt. Dated Dec. 8, 2009
Reply to Office action of Aug. 03, 2009

As a result, such a game would, by definition, not be a Massive Multiplayer Game. MMP game is defined as: "...Genre ...in which a very large number of players interact with one another within a virtual game world." (Refer to: http://en.wikipedia.org/wiki/Massively_multiplayer_online_role-playing_game).

My invention involves Massive role-playing games, and other multiplayer games which are not confined to 7 players, nor are they confined by vicinity.

My invention *does not* require players to be in close vicinity since the game is managed over the cellular network.

B- Simultaneous game sessions vs. non-simultaneous game sessions.

A simultaneous game is defined as a game where each player's decisions are affecting other players in the game and the player is affected by other players at the same time. In one gaming world, *all* players make decisions. In Rautila, a game is confined to 7 players.

Using Rautila, let's take for example team A of players, and team B of players:

Team A plays a game of soldier's squad attacking a fortress, and team B players are playing a game of soldiers defending a fortress.

However, Rautila fails to interlink these two games sessions over one controlling mechanism, and therefore, these are completely different games, which have no connection among them, and hence, are not considered simultaneous, since not *all* (team A and team B) users are aware of other player's decisions, and are not affected by other user's decisions.

To argue that Rautila's games are simultaneous would be the same as to argue that each player playing standalone solitaire game using his PC is playing in simultaneous game sessions with players from all over the world –but it is not true as there is no inter-connection between all these users.

In my invention, there is a central processing unit (such a main game server) which would coordinate all game sessions. Therefore, in the example above, team A would attack team B, and each team would affect the other team. Since all users are informed of the complete game –this is indeed a simultaneous game session.

In my invention several game sessions can be conducted simultaneously.

C- Network server managing and controlling games sessions vs. "master phone" controlling the game.

The only use of a network in Rautila is to download a game to a "master" phone.

The game "logic" is being download from a remote server to a mobile phone –which is the "master phone" managing the game session for a group of players. (Refer to: object 690 ID=Player2 (master) on Figure 6 on Rautila).

See on Rautila: "Regardless of how the coupling of the game groups is performed, one of the players must act as a game master for the others (without knowledge of it or at least without being informed of it). In FIG. 6, it can be seen that player 2 is the master 690. The master unit 690 needs to store the following information: name of the current game; the identification and addresses of all players in the current game; any game related information needed by the players (constantly); endgame state information for all players participating." (Col 6 Ln 36-47).

This means that the *only* usage of (long haul) wireless network in Rautila is to do one-time download of the game "logic" into one of the devices which acts as a master.

This also means that the "master phone" is a necessity in Rautila, and not an option or a possibility.

Therefore, there is a unique distinction from my invention and Rautila's. In my invention there is no need for a "master phone" and a main server is managing the game sessions, over the (long haul) wireless data network.

Rautila further states the "master phone": "Another aspect of the present invention is that the game server provides a game across the network and base station to the at least one mobile phone for play on the game units." (Col 2 Ln 46-48) If Rautila would have meant for the game to be conducted over the long haul network, he would have to state "*at least two* mobile phone playing over the network" rather than "*at least one* mobile phone for play". A multiplayer game cannot be conducted with only one participant. In this, Rautila contradicts the fact that the network server is used to control the game sessions and strengthens the notion that Rautila uses a "master phone" to control the game sessions.

Thus, the conclusion (from A, B, C) is that my invention is unique over Rautila and could not be anticipated.

Appl. No. 10/595,167
Amdt. Dated Dec. 8, 2009
Reply to Office action of Aug. 03, 2009

In reference to **claim 2**:

In my invention, short range communication is a possible embodiment for incorporating short haul connectivity in the system, and not the core of the system as it is with Rautila.

Please refer to clause A above (in response to claim 1).

In my invention the communication with the main game server is done via the cellular network, and the short range connection is used as an alternate method.

In reference to **claim 3**:

In relation to mobile network connection, Rautila fails to address important aspects (which are corner stone of my invention) such as: how a game is conducted via the mobile network, how multi-player is achieved by using mobile network, how data is stored via the mobile network, how real-time is achieved when using the mobile network.

For further information please see Clause C above (response to claim 1).

In reference to **claim 7**:

In regards to In Col 3 In 49-56: Rautila simply describes a generic GSM mobile network architecture. This is by no means Rautila's own invention, and nor do I claim to have invented this.

The citation: "The interactive game system of claim 7 further comprising a base station, and a game server, wherein the cellular network..." is taken from Claim 15 in Rautila.

Claim 15 in Rautila refers to claim 7 in Rautila.

Claim 7 in Rautila discloses: "An interactive game system, comprising...:

...wherein at least one mobile phone and the game units bypass the cellular network through links formed by the second and third wireless transceivers therein to enable a game to be played on the game units by the plurality of players."

Adding Claims 15 and 7 from Rautila would bring to the conclusion that the *only possible* usage for the mobile network on Rautila could perhaps be to download the game to what Rautila calls a "master phone" and that usage only.

This is completely different from my invention, where the network is used to manage the game sessions.

Appl. No. 10/595,167
Amdt. Dated Dec. 8, 2009
Reply to Office action of Aug. 03, 2009

In reference to **claim 8**:

The support for the following services: SMS, email, MMS, video is brought as a possible embodiment of the system to explain that the essential phone services of the end users would not be affected by my invention. For example: users could still receive SMS messages while playing, without any message lost.

On Rautila Col 4, In 30-31 Rautila discloses: "The downloading is possible through the short-range link, such as an infrared link or low power RF link from the computer to the mobile phone just as it is possible to download e-mail messages by using the Nokia 6110 mobile phone for example."

In this citation Rautila uses the operation of downloading an email as an example of using short range communication between a mobile phone and a computer.

This has no relevance to the usage of SMS, MMS, email and video in my invention.

In reference to **claim 10**:

The examiner is correct stating that "it is inherent in a LAN to assign a specific number of IP address" – however this is not the intention of this claim.

This claim refers to the system assigning IP addresses according to the group which plays. For example group A which plays Submarines game is assigned with the same IP range for the whole group, but it would differ from group B which plays a Basketball game.

Hence –the "virtual" assignment of IP is based on game context rather than range.

In regards to Rautila, it is obvious that Rautila discloses a selection process based on close proximity (Col 5, In 37-47), discussed above.

In reference to **claim 12**:

In Col 4 In, 22-24 Rautila discloses: "ISDN is deployed over a separate facility and provides for two channels that can be used for data access or for telephone service. The mobile phone can connect to the data service by calling to the ISP and establishing a data call."

Please note: "...data access *or* for telephone service..." which means not data access and telephone service together.

Furthermore, there is no relation between Rautila's general description of an ISDN line and my claim 12, which states that the system can continue the game session even if a telephone call is received by the user. Rautila discloses that the network usage is done in order to download an application, whereas in my system the application constantly interacts with the server via the network.

Appl. No. 10/595,167
Amdt. Dated Dec. 8, 2009
Reply to Office action of Aug. 03, 2009

In reference to **claim 13**:

This claim refers to users creating communities based on game activities –such as a community of the entire users playing a Darts game. This is not addressed by Rautila.

In reference to **claims 16 and 17**:

These claims relay on claim 1, and are a necessary embodiment of the input devices for the invention. Since this is a mobile device, these are the *only* input methods available.

Please refer to claim 1 on the differences from Rautila and my invention.

In reference to **claims 19 and 20**:

In Col 6, In 1-35 Rautila describes the initiation of a game and does not specify saving a user's state while exiting. Furthermore, Rautila does not address how a state which was saved before is uploaded again once the user returns to the game.

Also, please refer to Col 6 In 36-38: "Regardless of how the coupling of the game groups is performed, one of the players must act as a game master for the others". Let's assume a group of two players, whereas user A is the "master phone" and user B is a participant. If user A "master phone" decides to leave the game, how exactly is the game state of user B (participant) saved? How this procedure keeps the game's continuity? How is the action of the "master phone" (exiting the game) leaves player B uninterrupted?

All these differ from my invention.

In reference to **claims 21, 22, 23 and 24**:

I'd like to emphasize the word "mirror" on my invention.

A mirror is defined: "On the Internet, a mirror site is an exact copy of another Internet site. Mirror sites are most commonly used to provide multiple sources of the same information, and are of particular value as a way of providing reliable access to large downloads. Mirroring is a type of file synchronization. ([http://en.wikipedia.org/wiki/Mirror_\(computing\)\)](http://en.wikipedia.org/wiki/Mirror_(computing)))

In my invention the mirror is used to share the load, or act as fail- over.

In Rautila, the "master phone" is the default set of the system, and is constantly used to manage the game and is not defined as a mirror.

In reference to **claim 28**:

This claim states that the server could possibly share the processing load with the clients (devices) .For example, let's take a game of Chess. There are two alternatives:

Method 1, Full Server processing load- User A strikes User B and removes the Queen from the board. In this method, the transaction would be sent to the server. The server would process it, and send the relevant result (the Queen of player B is off the board) to both users, A and B.

Method 2, Server and Client share the load- same scenario, however, here, part of the logic (processing power load) resides in the client side. Hence, User A would remove the Queen from the board after the move, and would not need to wait for the server response to indicate that the Queen needs to be removed. This results in an increased response time for the client (and in turn to the user experience). Please note that the server is still managing the game and simply loads off processing.

This is not related to download as Rautila describes it, since Rautila describes full game logic and full game management on the client side.

Claim Rejections- 35 USC § 103(a)

In reference to **claim 11**:

In my invention, I used HSPDA to point out that the system would not be limited to the slow data connection of GSM ,and the system is not only designed to GSM but is also able to support higher mobile data link connections. For example, the system would use HSDPA to respond faster to client's requests, whereas in GSM network latency is longer, and the system needs to know how to handle latency.

If a user is playing a car race in a GSM network, the system would have to compensate for the latency, by deciding the most probable course of action, whereas in HSDPA the system would "know" that this is not needed.

Please also see the above suggestion for amendment of this claim to:" The game system of claim 1 has the ability to use HSDPA (High Speed Downlink Packet Access) technology."

In reference to **claim 14**:

My invention simply states that the system supports all possible input methods of mobile phones. Reading an input from a touch screen is not the same as reading an input from a keyboard.

For example touch screen input allows an input of straight lines and circular lines, which cannot be obtained via normal keypad.

Appl. No. 10/595,167
Amdt. Dated Dec. 8, 2009
Reply to Office action of Aug. 03, 2009

In reference to **claim 25, 26 and 29:**

It is unclear how these claims relate to Rautila disclosure of a keypad and a display.

These claims relate to the processing of data, postponing processing data and the effective distribution of data.

Claim 29 relates to stationary game interfaces.

"25. The system of claim 1 wherein server postpones the delivery of user command for a short interval of time until receiving commands from the other players, processes it, and distributes the result of the respective actions simultaneously to all the players.

26. The system of claim 1 wherein the server sends only the changes in the display of the screen from the last action of the game.

29. The system of claim 1 further comprising stationary game interfaces, wherein user using said interface are enable to participate within the network game."

In reference to **claim 4:**

Please see the above response for Rautila including the details response to claim 1.

In light of the mentioned differences between the systems, my invention would not be obvious the person having skill in the art, nor is it a modification of Rautila /Anttila.

In regards to the examiner's direction to Anttila pg 2, par 17 –there is no relevance to my invention.

Anttila discloses a task/questions driven game, where a user can pass the task/question to another user in case he does not know the answer to the question. Please refer to Anttila Abstract ln 2-6:" The game is initiated when a game server sends a task (e.g., a question) to a first group of mobile terminals. Each mobile terminal may either respond to the task (e.g., submit an answer) or forward the task to another mobile terminal".

Furthermore , Anttila states : " The system may include a game server 101, game database 103" (Pg 2 ,ln 64-65)- the usage of the word *may* -directs to the conclusion that the Data Base in use here is not essential, whereas in my system it is essential.

The history of player's activity (stored in the database) in my invention is needed in order to serve the continuity of the games ,whereas a user can return to the game with the same state he left –see claim 19 on my invention for example.

Furthermore –the examiner states "it would have been obvious....so that more complicated games could be player (played)..." –how exactly could this be done? How would real time be handled? How simultaneously will be taken care of? How would the game continuity be implemented? Both Rautila

Appl. No. 10/595,167
Amdt. Dated Dec. 8, 2009
Reply to Office action of Aug. 03, 2009

and Anttila do not anticipate these issues, whereas my invention does. Please refer to my claims 1, 2, 4, 20, 21-29 for example.

In reference to **claims 5 and 6:**

Sinclair discloses a location assisted application, whereas the virtual world and the real world have only one value and have only one-one correspondence. Hence –if the user is in L.A –he will only receive a game comprising of L.A sites:

“Profile information includes, for example, the fact that player 100 is currently actually located in the city of Los Angeles. This information can be used in the multi-player interactive fiction game of the presently preferred embodiment by creating a virtual space 312 made up of locations in 25 the city of Los Angeles, thus lending additional realism and interest to the game.” (Col 11, ln 17-27)

If the user is in L.A –he could not receive any other virtual world other than L.A.

Sinclair further emphasizes this one-one correspondence:

“The profile tags are used to indicate that the virtual world should be customized at the tag point. Customizing can include extracting relevant information from the mobile station or from a profiling database on a server. For example, if the game space dictates that a player is moving (or 35 walking) towards, e.g., a train station, a profile tag can be used to indicate that a relevant station name be inserted into the virtual world. For example, Waterloo Station in London can be inserted into a virtual space built around a London theme.” (Col 11, ln 31-40)

This means that the user in London will receive a London theme, and only that.

“The world 1312 is made up of a set of “levels” 1302, one of which can, for example, be defined as “Los Angeles” 1316.

Each level, e.g., 1316 is made up of a number of connected “locations”, e.g., The Grand Hotel in Los Angeles 65 1320. The Grand Hotel is one of the set of locations 1304 in Los Angeles 1316. Within each location is a set of objects” (Col 11, ln 61-66).

Which means that the location in Sinclair is a “must”, and not a possible embodiment, and the one-one correspondence is hence derived.

In my invention –this is not the case. My invention uses one-to-many correspondence.

Let’s take for example, a user who plays the game of Dungeons and Dragons, which has the following themes: Forest, Hills and a River. Now let’s say that the game divides the city into a grid: the southeast of London is defined as the Forest region, the upper north is the Hills, and the West side is the River. At a certain point of time the user is located in the Southeast of London and will play the forest game .Once the user moves to the West –the theme of the game would change to the River. The same way, the

Appl. No. 10/595,167
Amdt. Dated Dec. 8, 2009
Reply to Office action of Aug. 03, 2009

game can be played in any other city, and the virtual world would be defined according to the grid that the city was divided, and not according to the name of the city (London, NY etc...).

In my invention:” This may be integrated into the game by building virtual space over the real-world surroundings, wherein places in the real world have parallel location in the virtual space. If the user playing a problem solving game is located in a shopping center, for example, the system 400 may portray him as a detective, and the shopping center as a crime scene, and have the player collect evidence in these surroundings.” (Pg 3, Section 0033). This is a new concept and different from Sinclair, whereby the virtual world is not confined to a specific city.

Furthermore, claim 6 discloses a way to affect the virtual game world by being located at a certain real world location. For example, a user can gain points by visiting a local branch of a popular restaurant. The user is identified by a local device at the restaurant and points are added to this user. Sinclair does not address this issue at all.

In reference to **claims 9 and 27**:

Sinclair discloses “predictive commands” for auto completing and translation of voice recognition functions: “For another example, use of a predictive command set allows for a reduced translation set for voice recognition functions of the IVRU. A predictive command set significantly reduces the search space required by the IVRU for recognizing a course of action to take in a game” (Col 2 ln 32-35). This very much resembles to T9 function of mobile phones. I would like to stress out that this is not predictive but rather auto-complete, and this is the difference from my application.

My invention does not involve voice recognition at all. Prediction in my invention is game logic prediction (“behavior analysis”) and not auto-complete of commands. For example (a simplified example): A user is playing a car race game. This game requires fast response from the server game logic. Let’s assume the user is driving a straight road with two lanes. In the distance, the player sees a tree blocking one of the lanes. Now, the system could wait to receive the user command, and present the new scenery to him once he makes his decision, but this is costly in terms of response time. In my invention, the system “decides” that the reasonable player would alter his course in order to avoid the tree, and would present this new scenery to him. This is not an auto completion of a command the user has begun to enter, but rather a “forced” decision on behalf of the player.

In reference to **claim 15**:

My invention differs Rautila (see response to Claim 1 and 2), and also differs Sinclair (see response to claim 5, 6, 9 and 27 above). The voice input is one of the possible inputs in a mobile phone, and is a possible embodiment of my invention.

Appl. No. 10/595,167
Amdt. Dated Dec. 8, 2009
Reply to Office action of Aug. 03, 2009

In reference to **claim 18**

My invention differs Rautila (see repose to Claim 1 and 2), and also differs Sinclair (see response to claim 5, 6, 9 and 27 above). The camera input is one of the possible inputs in a mobile phone, and is a possible embodiment of my invention.

Furthermore, Sinclair discloses: "However, the user 100 has only limited access to data services 108 and even less to go image/video services" (Col 3, ln 59-91). This is not a description of the camera/video serving as an input method in Sinclair's system.

In my invention: "It may use a built in camera (rotating) for capturing pictures or video for messaging or video calls—the system will integrate these in the game." (Col 5, 0064) For example, adding a picture of the persons playing the game with/against the user, instead of their avatar.

Furthermore, in my invention: "The system may allow players to chat one with another, send SMS, MMS and Video messages and sound while playing and will integrate them as part of the game" (Col 5 , 0073).

Respectfully submitted,

Yakir Terebilo

By Terebilo Yakir

Yakir Terebilo

Haeshel St. #21, Kiryat Ata, ISRAEL

Email: Yakir@inno-sys.com

Tel.: (972) 54228-7158

(972) 3620-5070